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April 4, 2008

Daniel A. Howard, Esq.
McElfish Law Firm
1112 N. Sherbourne Drive
West Hollywood, California 90069


Re: **Canal Insurance Company v. Ginnetti Trucking, LLC**
Docket No. 08-CV-1588, United States District Court,
Southern District of New York
Our File No.: 114DJ2-6015

Dear Mr. Howard:

Enclosed please find an executed waiver of service of the Summons and Complaint in this action.

Very truly yours,

LESTER SCHWAB KATZ & DWYER, LLP



Ellen M. Spindler
Of Counsel

EMS:md
1002579

WAIVER OF SERVICE OF SUMMONS

To: Daniel A. Howard, Esq., McElfish Law Firm

I acknowledge receipt of your request that I waive service of a summons in the action of Canal Insurance Company v. Ginetti Trucking, et al, which is case number 08-CV-1588 for the United States District Court, Southern District of New York. I have also received a copy of the complaint in the action, two copies of this instrument, and a means by which I can return the signed waiver to you without cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner provided by Rule 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if an answer or motion under Rule 12 is not served upon you within 60 days after March 10, 2008, or within 90 days after that date if the request was sent outside the United States.

04/04/08

Date



Signature

Printed/typed name: Ellen M. Spindler (ES-4839)

{as counsel on behalf }

{ as Ginetti Trucking, LLC}